

March 11, 2008

Scott Deloney, Chief
Programs Branch
Office of Air Quality MC 61-50
100 North Senate Avenue
Indiana Department of Environmental Management
Indianapolis, IN 46206-2251

Dear Mr. Deloney:

Thank you for the opportunity to comment upon the Indiana Department of Environmental Management's (IDEM) request to EPA to approve the Re-designation and Maintenance Plan for Lake and Porter Counties for Particulate Matter (PM) 2.5.

Save the Dunes Council takes this application very seriously. According to the Environmental Protection Agency (EPA), severe health effects are associated with exposure to excess levels of airborne fine particulate matter (PM_{2.5}), including tens of thousands of premature deaths and hospital admissions, and hundreds of thousands of doctor visits, work and school absences and respiratory illnesses yearly.

Fine particles are also a major source of haze that reduces visibility in our landscape, and it "affects vegetation and ecosystems by settling on soil and water, upsetting delicate nutrient and chemical balances." (Environmental Protection Agency, *Particle Pollution Report*, 2003, p. 3.) For example, in the article *Seepage Measurements from Long*

Lake, Indiana Dunes National Lakeshore, the authors indicate that the Indiana Dunes National Lakeshore has the "highest nitrate and sulfate levels in precipitation of any monitored park in the country." (*Seepage Measurements from Long Lake, Indiana Dunes National Lakeshore, Environmental Geology*, September 1996, p. 99.)

A careful review of the data provided by IDEM as well as EPA indicates that this important pollutant is on a downward trend. Nevertheless, it must be stated that Save the Dunes' Board of Directors supports the 2006 position of the Union of Concerned Scientists that the average annual standard currently promulgated by EPA at 15 micrograms still is not low enough to protect human health and should instead be at 13 to 14 micrograms.

(http://www.ucsus.org/scientific_integrity/interference/epa-particulate-matter.html)

As a result, it is our belief that, while this application is very thorough, it is simply too premature and violates the spirit of the Lake Michigan Air Directors Consortium (LADCO). Furthermore, there appears to be conflicting data, there are many questions that need to be answered, some of the documentation or wording is unclear, and more work needs to be done on the Maintenance Plan.

This application is too premature for several reasons. First of all, while IDEM is allowed to use data from 2004, 2005 and 2006 as the design values for the application, we request that the 2007 data be added to this application prior to submission to EPA. This is especially important because

one of the critical monitors listed, located at the Water Plant on Madison Street in Gary, just began operating in July 2005.

Another reason this application is too premature is because while many regulations exist, such as the Clean Air Interstate Rules (CAIR), that will help reduce PM 2.5, some of these regulations have just recently gone into effect or will not take effect for several years. As a result, we believe it is too early to fully assess the impacts of these regulations.

Determining the chemical make-up of a particle - known as "speciation" - is an important part of the effort to reduce PM 2.5 levels, and is accomplished largely through data generated by EPA's ambient air speciation monitoring program. We are also very concerned that 2007 results from area speciation monitors are not reflected in this application. While these results may not need to be considered in this application, it must be noted that a number of the readings were above the daily standard of 35 micrograms at the Gary Iitri Speciation Monitor location. (<http://www.in.gov/idem/air/amb/ambient/summary/aqsummary.html>) This kind of data is vital to ensuring that pollution controls are implemented at the right sources and should not be ignored.

Furthermore, we are not clear that the emissions inventory and estimates include important potential future emissions from the following sources:

☐ Increased air emissions expected from the expansion of the BP Whiting Refinery as well as the BP Asphalt Plant.

- ☐ Increased emissions that could result from the expansion of the Gary-Chicago International Airport.
- ☐ Increased emissions resulting from an increase in the use of residential wood combustion devices such as hydronic heaters, also known as Outdoor Wood Furnace Boilers.

One of the major purposes of LADCO, as stated in a Memo of Agreement for Interstate Air Pollution Study and Control signed in 2004 by former IDEM Commissioner Laurie Kaplan, is the development of multi-state, multi-pollutant planning "to support the development of effective control plans to address regional pollution problems such as ozone, fine particles, regional haze and air toxics." IDEM's determination that "emissions from Lake and Porter Counties do not affect the downwind area's ability to attain the fine particles standard" violates the spirit of that Memo of Agreement. In your public response to these comments, we request that Illinois EPA's reaction to this re-designation application be included.

While trying to demonstrate Indiana's lack of culpability in impacting the Chicago nonattainment area you used February 3, 2005 as an example of a monitored day higher than the daily standard of more than 35 micrograms. It is interesting to note that the Ogden Dunes monitor was not operational that day, as indicated on Table 3.5 of the application. This begs the following question: How often do any of the monitors not report results, and how are those non-reporting values factored into the annual average?

Under the 3.5 Continued Monitoring Section, you indicate

that the existing monitoring network could potentially be changed with EPA's approval. We would strongly object to any changes that might be made in the network since monitor changes could potentially be implemented to make the outcomes look more favorable.

Your application must be presented in a manner that demonstrates that attainment was achieved based on permanent and enforceable emission reductions. This application needs to demonstrate more clearly that favorable weather conditions during the design value years did not heavily influence emissions reductions. This is because weather patterns can contribute to yearly differences in PM 2.5 concentrations from area to area.

On page 25 of the application, you indicate that utilities can meet their budget for nitrous oxide (NO_x) emissions by purchasing emissions credits. How many credits were actually purchased and how much impact do these credit purchases actually have on the reduction of regional NO_x emissions?

Vehicle age distribution is an important consideration when projecting transportation conformity budgets and travel demand forecasts. Considering that the economy in this area is most likely in recession, people and companies will most likely hold onto their cars and fleet vehicles much longer, which means that it will take longer to phase in newer models that will have reduced emissions.

In the application, IDEM has committed to maintaining

certain control measures after re-designation, and those control measures are listed. IDEM should also provide a list of control measures that will no longer be required or utilized if this attainment status is granted.

In the Corrective Actions section of the application, you indicate that "if a new measure or control is already promulgated and scheduled to be implemented at the federal or state level, and that measure or control is determined to be sufficient to address the upward trend in air quality, additional local measures will be unnecessary." Can you please provide clarification on what criteria will be utilized to determine if a measure or control is sufficient? In addition, your contingency measures section is too vague and should be made clearer. For example, instead of providing examples of contingency measures that "may" be considered, you should instead provide a more comprehensive list of contingency measures that could be implemented.

Furthermore, it is our belief that your list of factors that will be considered for the selection of contingency measures is too vague and potentially subjective, especially where you say "Economic and social considerations and other factors IDEM deems appropriate."

In the list of potential contingency measures, you may want to consider having idle restrictions placed on trucks as well as diesel trains; and, instead of wood stove change-outs, you may want to implement residential wood combustion emissions reduction strategies. Residential and industrial

wet-vacuum street sweeping would help also. Another idea might be to work with area industries to evaluate their average truck-waiting times and implement more efficient gate operations.

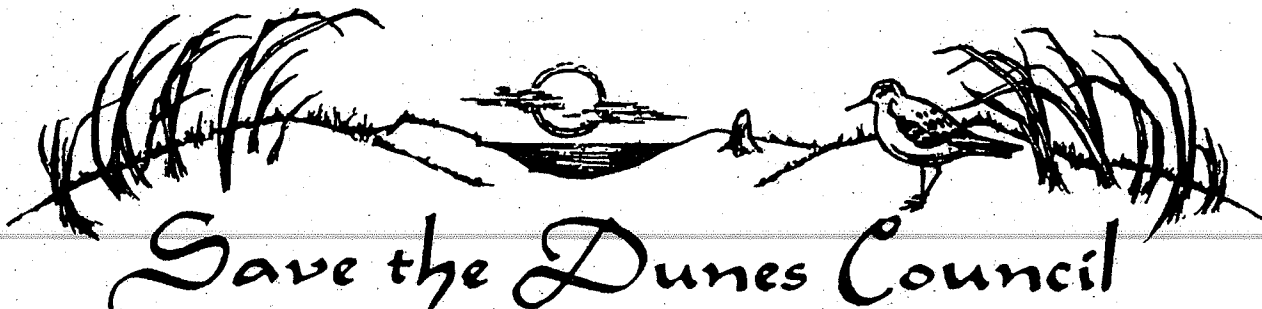
Finally, if and when Lake and Porter Counties are placed into attainment, Save the Dunes requests that you create a Stakeholder Advisory Committee that will help monitor the maintenance plan.

Again, thank you for the opportunity to comment on this application. It is our position that attainment of PM 2.5 in Lake and Porter Counties should not be granted at this time.

Sincerely,

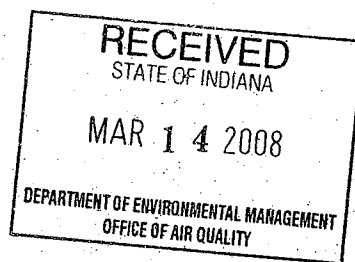
Debbie Chubb
President

cc: Environmental Protection Agency



Save the Dunes Council

444 Barker Road, Michigan City, IN 46360 • 219-879-3937 • www.savedunes.org



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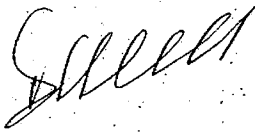
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Finally, if and when Lake and Porter Counties are placed into attainment, Save the Dunes requests that you create a Stakeholder Advisory Committee that will help monitor the maintenance plan.

Again, thank you for the opportunity to comment on this application. It is our position that attainment of PM 2.5 in Lake and Porter Counties should not be granted at this time.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debbie Chubb".

Debbie Chubb
President

cc: Environmental Protection Agency

Daniel, Pat

From: Laura Demchuck [wzluna@hotmail.com]
Sent: Wednesday, February 27, 2008 9:26 AM
To: Daniel, Pat
Subject: pending BP permit
Follow Up Flag: Follow up
Flag Status: Green

Dear Pat,

NO MORE pollution of any kind from BP. First they tried the water, now they want to spew more pollutants into the air. I am unwilling to sacrifice my health for them - or the jobs I'm sure they will claim will be lost if not allowed to proceed. Please say NO to their permit request.

Sincerely,

Laura Demchuck
7007 Forest Ave.
Gary, IN 46403

Climb to the top of the charts! Play the word scramble challenge with star power. [Play now!](#)

3/13/2008

Daniel, Pat

From: Donna Norkus [dnorkus@ureach.com]
Sent: Tuesday, February 26, 2008 8:56 PM
To: Daniel, Pat
Subject: BP Emissions

Follow Up Flag: Follow up
Flag Status: Green

The Clean Air Act and/or Clean Water Act should not be usurped in favor of a non-governmental entity's desire to expand at low cost. It is possible to achieve expansion while honoring regulations currently in effect nationally. The only real barrier to doing so is the desire for even greater profits. Do not give in to this corporate greed. Protect the citizens of northwest Indiana, as well as the environment, to the best of your ability by telling BP no.

There is no reason to trade breathable air for jobs. BP can achieve its expansion while complying with existing regulations.

I believe your job is to protect the citizens and the environment of Indiana by ensuring compliance with existing law.

Please continue to do so.

Donna Norkus
Beverly Shores

Daniel, Pat

From: leslie@leslienuss.com
Sent: Tuesday, February 26, 2008 10:01 PM
To: Daniel, Pat
Subject: please have BP pay to treat its pollution

Follow Up Flag: Follow up
Flag Status: Green

Hi, I am somewhat new to NWI and at first I thought Indiana was a great clean state and lately I am learning more and more about how lax the environmental regulations are and how polluted this state is and our water, air, etc.

Please don't cave in to corporate pressure. BP can afford to be environmentally responsible. Please do not let them spew their pollution into our air. We will all bear the costs if you give BP corporate welfare by letting them off the hook instead of treating their pollution responsibly.

In the late 80's I started the recycling programs for the University of Illinois at Urbana-Champaign. I know from my involvement there that we need good people with integrity to be leaders in calling for corporations to respect the health of the people who live where they have businesses.

If you work for IDEM, you must know about the dire state of planet earth. We need people who will fight for what is right and not cower under the dangling dollars and intimidation of corporations.

Please be that person.
thank you,
Leslie Nuss

Daniel, Pat

From: jimgeorge [jig.ace@earthlink.net]
Sent: Tuesday, March 11, 2008 2:41 PM
To: Daniel, Pat
Subject: Fw: correct email to IDEM

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Daniel, I totally agree with the message below. NO MORE POLLUTION, PLEASE! Regards,
Jim George, Ogden Dunes, In.

-----Forwarded Message-----

>From: odnewsletter@comcast.net
>Sent: Mar 11, 2008 1:34 PM
>To: odnewsletter@comcast.net
>Subject: correct email to IDEM
>
> Sorry here's correct email:
>
>pdaniel@idem.in.gov
>
>This attainment application is too premature for several reasons.
>First of all, while IDEM is allowed to use data from 2004, 2005 and
>2006 as the design values for the application, we request that the 2007
>data be added to this application prior to submission to EPA. This is
>especially important because one of the critical monitors listed,
>located at the Water Plant on Madison Street in Gary, just began operating in July 2005.
>
>Another reason this application is too premature is because while many
>regulations exist, such as the Clean Air Interstate Rules (CAIR), that
>will help reduce PM 2.5, some of these regulations have just recently
>gone into effect or will not take effect for several years. As a
>result, we believe it is too early to fully assess the impacts of these regulations.
>
>
>Include your name & address.
>
>
>Thanks.

Daniel, Pat

From: jimgeorge [jg.ace@earthlink.net]
Sent: Tuesday, February 26, 2008 3:32 PM
To: Daniel, Pat
Subject: BP

Follow Up Flag: Follow up
Flag Status: Green

Dear Pat Daniel, Please do not allow BP to increase soot emmisions. Our air is dirty enough. We do not need more particulates of anything in our air. We should be decreasing, not increasing anything. C'mon, do the right thing for our sake. Thank you.
Jim George

Daniel, Pat

From: Charles Hensel [henselgary@att.net]
Sent: Wednesday, February 27, 2008 9:39 AM
To: Daniel, Pat
Subject: NO
Follow Up Flag: Follow up
Flag Status: Green

It is unconscionable to permit even more soot and other particulates into the air and lungs of the people of Northwest Indiana. Do not support this tragedy.

(The Rev) Charles H. Hensel
 8414 Oak Ave
 Gary, IN 46403

3/13/2008

Daniel, Pat

From: Kurt Oldenbrook [ktrader33@yahoo.com]
Sent: Wednesday, March 19, 2008 5:09 PM
To: Daniel, Pat
Subject: BP Permit
Follow Up Flag: Follow up
Flag Status: Green

Dear Sir,

The permit for BP to continue polluting Northwest Indiana should not be granted, You and I both know that the public meeting was stacked with BP employees and their families. Most were probably paid to be there. This is and has been a common occurrence in Indiana for the last half century. In addition, you and I both know that the release of lead into the already toxic air of northern Indiana will cause more problems for the children of our area. Now you may not care, but we who live here do. You may not know, but I do, that sooner or later all the industry in this part and other parts of the state will eventually either clean up their pollution or die from it. It really is just a matter of when. Is 100 years enough to get the pollution under control? 200 years perhaps, or 500 more than that? If we begin now the clean-up will be easier and fewer people will die from cancer.

BP will not go out of business if forced to stop all pollution in the air, soil, and water of our home environment. They will not shut the plant. They will comply if and when we get smart about the damage being caused and find the political will to do the right thing and stop poisoning our nests.

Thank you,
Kurt Oldenbrook

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3/27/2008

Daniel, Pat

From: JohnDefauw@aol.com
Sent: Wednesday, March 19, 2008 3:45 PM
To: Daniel, Pat
Subject: IDEM wants to designate NWI in "attainment" for soot potentially allowing more
Follow Up Flag: Follow up
Flag Status: Completed

This attainment application is too premature for several reasons. First of all, while IDEM is allowed to use data from 2004, 2005 and 2006 as the design values for the application, we request that the 2007 data be added to this application prior to submission to EPA. This is especially important because one of the critical monitors listed, located at the Water Plant on Madison Street in Gary, just began operating in July 2005.

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John Defauw
5865 Dunes Highway
Ogden Dunes, In 46368

Create a Home Theater Like the Pros. [Watch the video on AOL Home.](#)

3/27/2008

Daniel, Pat

From: Nina Klooster [ninaklooster@mac.com]
Sent: Wednesday, February 27, 2008 9:53 AM
To: Daniel, Pat
Subject: Polution in NWIndiana

Follow Up Flag: Follow up
Flag Status: Completed

I am seriously concerned about the incident of diseases like cancer and neurological problems in areas like Hobart and Gary. IDEM please wake up and get the facts about childhood cancer. Please stop pretending to be interested in the environment and protect the citizens from these health hazards. Nina Klooster 1438 W 700 N Lake Village, IN 46349

**Northwest Indiana Redesignation Request and Maintenance Plan in
Association with the Annual Standard for Fine Particulate Matter
(PM_{2.5})**

Summary/Response to Comments Received at Public Hearing

On February 27, 2008, the Indiana Department of Environmental Management (IDEM) conducted a public hearing concerning the draft redesignation request of the annual fine particulate matter (PM_{2.5}) standard for Lake and Porter counties, Indiana. Comments were made by the following parties:

Karen Kroczek, Concerned Citizen
Mark Coleman, Concerned Citizen
Lisa George, Resident
Karin Kirulis, Resident
Mark Strimbu, NiSource
Jim Alexander, U.S. Steel

Kroczek
Coleman
George
Kirulis
NiSource
U.S. Steel

Following is a summary of the comments received and IDEM's responses thereto:

Comment: Commenter asked how permitting the emission of larger quantities of toxic soot could help IDEM to meet their mission to encourage and aid businesses and citizens in protecting and improving Indiana's environment. (Kroczek)

Petitioning U.S. EPA to redesignate the area to attainment and reclassifying the area to maintenance means that IDEM is committed to ensuring that air quality that meets the annual fine particle standard is maintained. As such, new and expanding businesses would be required to demonstrate that their emissions would not cause or contribute to a re-violation of the standard.

Comment: Commenter referenced an article from Argonne National Laboratory that warned of health, environmental and aesthetic risks of soot. The commenter summarized how soot particles are formed, the health effects and the environmental damage of soot, particularly fine particles. (Kroczek)

IDEM agrees with the commenter on the potential health and environmental effects of exposure to elevated levels of fine particles and strives to assure that communities in Indiana comply with the health based standards as expeditiously as possible.

Comment: Commenter encouraged IDEM to establish and enforce laws and regulations that promote good stewardship, health, wealth and competitiveness. (Kroczek)

IDEM acknowledges comments provided.

Comment: The commenter opposed designating or redesignating Lake and Porter counties to attainment status. Commenter stated that it is unreasonable and illogical to designate the area to attainment since the area was designated as the worse and most unhealthy place to live by at least two nationally distributed magazines. (Coleman)

Lake and Porter counties have measured air quality that meets the annual fine particle standard since 2003 and many of the other health based air quality standards, as well. Air quality in the region has improved significantly over the past ten years. The criteria used for the assessment referred to are based on factors that are not comparable to air quality standards. IDEM's assessment is based on evaluation methods set by the U.S. EPA to measure compliance with the standards and air quality in the area is in compliance.

Comment: Commenter stated that the methods the state uses to determine attainment are flawed. Congress has voted on a resolution to stop a permit issued by the state to BP (Amoco) which would allow more pollution into Lake Michigan. (Coleman)

The state uses the evaluation methods established by U.S. EPA to measure compliance. The resolution passed by Congress was in conjunction with a water permit, not air quality attainment status.

Comment: Commenter stated that it appears that the reason IDEM wants to redesignate Lake and Porter counties to attainment status is, according to the newspapers, to make it okay for expanding businesses and new businesses to add more pollution into the already polluted air. (Coleman)

Comment: The commenter asked "Why do we need to redesignate to pollute more? Why couldn't we just shift the amount of pollution? If you want new companies to come in and to be able to pollute why can't you take some of the allocation that you have from U.S. Steel and other polluters...reduce the amount that they can pollute so that new businesses can pollute?" (George)

In response to the two comments above, IDEM is petitioning U.S. EPA to redesignate the areas to attainment because air quality in Lake and Porter counties is in compliance with the annual fine particle standard and should be redesignated back to attainment.

Large projects that may represent emissions increases beyond normal expected growth would be subject to the new source review permitting program for attainment areas known as Prevention of Significant Deterioration (PSD). New major sources or major modifications of existing sources must install best available control technology and demonstrate that the resulting emissions would not cause or contribute to a violation of any national ambient air quality standard. These permits are subject to public review, comment and the opportunity for a public hearing to help ensure that these requirements are satisfied.

Comment: Commenter asked if the level of pollution would get worse than it is today.
(George)

If the area is redesignated to attainment and classified to maintenance for the annual fine particle standard, IDEM has committed to assuring that air quality is maintained. The Clean Air Act requires that areas with maintenance plans ensure that there's no backsliding with regard to measured air quality. Precursor emissions that contribute to fine particle concentrations cannot increase over time.

The document addresses future year modeling with national, regional and local emission control strategies already in place and strategies to be implemented in the next few years. Air quality is projected to improve over the next ten years and continue to attain the current annual fine particle standard. Future year modeling takes into account projected emissions increases from industry and population growth, as well as emissions control strategies.

Comment: Commenter asked "If air quality is getting better, why do you have to change the designation?" (George)

Lake and Porter counties have measured air quality that complies with the annual fine particle health based standards since 2003. Therefore the area is eligible for its air quality status to be classified consistent with other counties in the nation that measure air quality that meets the standard.

Comment: Commenter stated that she doesn't trust the numbers that IDEM has. She lives in the area, breathes the air and smells it. She doesn't think it's healthy no matter what the numbers say and no matter what EPA says. (George)

Methodology used in the document to demonstrate attainment of the standard, as well as certified quality assured monitoring data is readily available and verifiable in U.S. EPA guidance documents.

Comment: Commenter asked "if you find that the particles are more than they should be, what specifically do you do? Do you tell U.S. Steel to shut down for a couple of weeks?" (Kirulis)

If emissions start increasing after the area is redesignated, or monitored exceedances occur, as part of the maintenance plan, IDEM commits to taking swift action in order to reverse the trend and take whatever action is necessary to ensure that air quality is re-attained as expeditiously as possible.

Comment: The commenter provided suggestions to help IDEM clarify statements made in the document. The first comment was on page 7, where it references the design value. It refers to the air quality and design value for the area as the highest design value among all sites in the area. If the statement references Lake and Porter counties only, it should be revised to make that clear. On page 23, Section 3.4, it states that IDEM has

quality assured all data shown in the tables. One of the tables show information from out-of-state monitors and asked if that statement is truly correct or if IDEM is responsible for State of Indiana data only. (NiSource)

IDEM appreciates the suggestions and will revise the document accordingly.

Comment: Maybe a good corollary might be the coarse particulate matter regulations, PM10. Coarse particles have been regulated for a while, for which we are in attainment. There's a maintenance plan in place that if our company is found culpable in exceedance of that, we have to submit a 25 percent source wide reduction of our particulate matter within 180 days. So the position of U.S. Steel on this is that there are regulations in place that allow IDEM to seek attainment for counties that are in attainment of the Clean Air Act and of the standards. (U.S. Steel)

Comment: These standards went through a lot of scientific review. And I sympathize with the people that breathe it, it's me and my family also, and I know the damage that it causes. But these standards were set by scientists to designate healthy air. It's IDEM's job to regulate industry and point sources, and area sources and mobile sources to get us into attainment. Now, if we believe that 35, or in this case, the standard of 15 on an annual basis, is too high and what we need to do is to get that standard lowered from 15, not to attack the redesignation. (U.S. Steel)

Comment: If we do redesignate, not one limit at Gary Works is relaxed. It does not allow us to pollute more. It does change, in some cases, new source review for new and modified sources, but it makes it more difficult for us to modify or add, because you have to stay in attainment of the standards. (U.S. Steel)

IDEM appreciates the preceding comments and the support to redesignate the area to attainment.

Summary/Response to Comments Received During Comment Period

IDEM requested public comment on the draft redesignation request for Lake and Porter counties from January 28, 2008 through March 11, 2008. IDEM received comments from the following parties:

Sandy O'Brien, Dunelands Sierra Club
Karin Kirulis,
Michele Bonneau
Jim Sweeney
Lou Gagliardi
Patricia and Richard Gonzales
Dean Squire
Jean Smith
Lynda Jorgensen

Dunelands
Kirulis
Bonneau
Sweeney
Gagliardi
Gonzales
Squire
Smith
Jorgensen

Joanne Lehmann	Lehmann
Ron Wennekes	Wennekes
Randi Light	Light
Bessie Dent, The Calumet Project	Calumet
June Hardy	Hardy
Patrick M. Gordon, Indiana Steel Environmental Group	ISEG
James W. Flannery, The Northwest Indiana Forum	NWI Forum
Janet G. McCabe, Improving Kids Environment	IKE
Laurel L. Kroack, IL Environmental Protection Agency	IL EPA
Debbie Chubb, Save the Dunes Council	SAVE
Laura Demchuck	Demchuck
Donna Norkus	Norkus
Leslie Nuss	Nuss
Jim George	JGeorge
Charles Hensel	Hensel
Kurt Oldenbrook	Oldenbrook
John Defauw	Defauw
Nina Klooster	Klooster

Following is a summary of comments received and IDEM's responses thereto:

Comment: The commenter expressed concern with the impact of more use of wood burning stoves of any type for home heating as natural gas and electricity prices continue to rise. Users should be required to use the latest technology to be as low in pollution as possible. (Dunelands)

This is an issue of national concern. The Environmental Protection Agency has launched a voluntary partnership program to reduce air pollution from outdoor wood-fired boilers and has implemented a program to certify new wood stoves and fireplaces as energy efficient. Emissions from wood combustion sources were included in the base-year inventory and expected growth is reflected in the future year inventories.

Comment: Commenter expressed opposition to the granting of PM_{2.5} attainment to Lake and Porter counties. There are too many unresolved questions regarding increased air emissions at BP, as well as other industries in northwest Indiana, in the near future. (Kirulis)

Potential developments, that we're aware of, were considered as part of the maintenance plan when we estimated economic growth and the corresponding increase in emissions. Emissions are expected to be lower in ten years than they are now. There are additional emissions controls "on the books" that have not been fully implemented yet, and these will help offset area growth. In addition, major new sources will be subject to new source review permitting under the Prevention of Significant Deterioration rule requiring best available control technology and a

demonstration that the emissions will not cause or contribute to a violation of any NAAQS.

Comment: Commenter expressed concern that the 2007 results from monitors are not examined in the application, especially the Gary monitor with a level above the standard of 35 micrograms. (Kirulis)

As stated in the introduction section of the document and in the public notice for this hearing, an addendum was added to the document and placed on the website prior to the public hearing containing an analysis of the 2007 monitoring data. It shows that all of Indiana's annual population-exposure monitoring sites continue to demonstrate attainment from 2005 - 2007.

Comment: Commenter asked "Is there no one that will stand up for our future air quality? Not even those we elected to do this job for us? Who will your children blame?" (Bonneau)

IDEM intends to continue cooperating and working with other states through the Lake Michigan Air Directors Consortium on regional planning initiatives. IDEM has participated in regional planning and modeling of projected future emissions, including proposed controls on large utilities, on and off road vehicles, and fuels, and has determined that the standard will be met by an increasing margin of safety in the coming years.

Comment: Commenter strongly opposes the designation of Lake and Porter counties as "in attainment" of the PM_{2.5} standard. Commenter believes the move is based on economic concerns, not public health, and that the redesignation is the result of an organized effort of the U.S. EPA and IDEM to promote increased industrial production in northwest Indiana. (Sweeney)

The NAAQS are based upon multiple studies developed by independent scientists to be protective of public health and the environment. It was determined that the current standards are protective of public health. Ambient annual fine particle levels measured in Lake and Porter Counties meet these standards.

Comment: The commenter mentions the known health effects that are the result of exposure to fine particulate matter and cited several studies with findings that provide evidence that fine particle concentrations below the national standard are harmful to the cardiovascular and respiratory health of elderly citizens. (Sweeney)

IDEM agrees that there are known health effects associated with exposure to elevated levels of fine particles. However, the federal ambient air quality standards are set at levels that are determined to be protective of human health. The standards are reviewed every five years to determine whether the standards are sufficient to protect public health. In 2006, the U.S. EPA determined that the current annual standard for fine particles is sufficient to protect public health. As studies continue

into the future, that information will be used to determine if the air quality standards remain the same or need to be changed.

Comment: Several commenters provided comments that the attainment application is premature. The commenter noted that IDEM used data from 2004, 2005 and 2006 as the design values in the application; the commenters requested that the 2007 data be added to the application prior to submittal to U.S. EPA. (Gagliardi) (Gonzales) (Squire) (Smith) (Jorgensen) (Wennekes) (Light) (Hardy) (SAVE) (Defauw)

As stated in introduction section of the document and the public notice for this hearing, an addendum was added to the document and placed on the website prior to the public hearing containing an analysis of the 2007 monitoring data. It shows that all of Indiana's population-exposure monitoring sites continue to demonstrate attainment from 2005 - 2007.

Comment: Several commenters also noted that although many regulations exist, such as the Clean Air Interstate Rule (CAIR), which will help reduce PM_{2.5}, some of these regulations have just recently gone into effect or will not take effect for several years. As a result, they believe it is too early to fully assess the impacts of these regulations. (Gagliardi) (Gonzales) (Squire) (Smith) (Jorgensen) (Lehmann) (Wennekes) (Light) (SAVE) (Defauw)

Lake and Porter County monitors have shown attainment for several years, since 2003, which reflects the impact of federal and state rules which are currently in effect. Modeling shows that future reductions resulting from the new rules will continue to further reduce PM_{2.5} levels.

Comment: Several commenters support the comments submitted by Save the Dunes Organization. (Dunelands) (Calumet) (Hardy)

IDEM acknowledges receipt of the comment.

Comment: Commenters strongly support IDEM's draft petition for redesignation of Lake and Porter counties as attainment for fine particulate matter. (ISEG) (NWI Forum)

Thank you for your support.

Comment: Commenters point out that Lake and Porter counties can only theoretically "contribute" to violations at the Cook county monitors at Cicero and Wilson Avenue when the wind is blowing one finite direction – from the southeast. EPA's own wind rose analysis indicates that prevailing winds blow away from the violating monitors more than 90% of the time, <http://www.epa.gov/region5/sites/indianaharbor/>. The commenters suggest that IDEM incorporate this point more prominently in Section 3.3 of the redesignation petition. (ISEG) (NWI Forum)

IDEM appreciates the comments and will review the document to determine if the points in this section can be further clarified.

Comment: The commenters concur with IDEM's conclusion that since the area attained the standard prior to an Attainment or RACT SIP being due, and since the implementation rule for fine particles stipulates that states are only required to draft and implement RACT rules for the precursor emissions reductions necessary to attain the standard, no further RACT rules are required for this area. (ISEG) (NWI Forum)

IDEM appreciates the support. It should be noted that the majority of major sources for NO_x within Lake and Porter counties are subject to the NO_x SIP Call, thereby meeting RACT requirements for NO_x. Therefore, any reductions to be gained through the applicability of NO_x RACT for Lake and Porter counties would be negligible.

Comment: The commenter opposes IDEM's intent to seek redesignation of Lake and Porter counties for the fine particle health standard. The commenter states that redesignation of these counties is not the best way to achieve public health and economic goals of the region, and will undermine the 15 year commitment among the Lake Michigan states to work collectively to solve regional air quality challenges. (IKE)

IDEM contends that the area and the associated petition meets the requirements for redesignation contained in the Clean Air Act, and therefore, it should be redesignated to attainment. IDEM intends to continue working cooperatively with LADCO and the other LADCO states to address regional air quality issues, and that cooperation is not dependent on the designation status of Lake and Porter counties.

Comment: The commenter states that it is premature for Indiana to seek to redesignate its counties in this multi-state, regional nonattainment area while monitors elsewhere in the region still violate the standard. (IKE)

Ambient air quality in Lake and Porter counties has measured annual fine particle levels in compliance with the standard since 2003. Furthermore, IDEM has conducted an analysis to determine Indiana's culpability on downwind monitors and has determined that Lake and Porter counties do not primarily impact monitored violations in the Chicago area and additional controls in Lake and Porter counties will not provide for attainment of the standard in the Chicago area.

Comment: The commenter states that air quality data do not support this designation. Based on 2004-2006 data, two monitors in the nonattainment area continue to monitor violations of the standard and that 2005-2007 monitoring data show five monitors in violation. (IKE)

Please see response above.

Comment: Commenter mentions that Lake and Porter counties are part of a multi-state nonattainment area. Granting Indiana's request would require U.S. EPA to redesignate a portion of a nonattainment area before the entire area has attained. Based on conversation with U.S. EPA Region V staff, the agency has never approved such a request. (IKE)

IDEM is aware of the fact that by approving this redesignation petition, U.S. EPA will be setting precedent. Nevertheless, Lake and Porter counties have attained and maintained air quality that is in compliance with the annual fine particle standard, and thereby eligible for redesignation, based on Section 107(d) of the Clean Air Act.

Comment: Like ozone in some respects, PM_{2.5} is a regional pollutant. The main sources of emissions in the SO₂ and NO_x inventories are point sources in Lake and Porter counties and nearly half of those emissions come from electric generating units, whose emissions can travel regionally. Because of the concentration of large and numerous point sources as well as significant emissions from motor vehicles, U.S. EPA guidance treats large metropolitan areas (even if they are multi-state) as a single nonattainment area. (IKE)

IDEM has evaluated monitoring data on a case-by-case basis and determined that monitored concentrations throughout the region are closely representative of background levels, with the exception of a few monitoring sites in Cook County, Illinois. IDEM has determined that Lake and Porter counties are not primary contributors to measured levels at those sites. A number of monitoring sites located between and/or around the site locations with values above the standard measure air quality below the standard. If Lake and Porter counties were primary contributors to monitored violations in Northwest Illinois, these sites would maintain values above the standard as well. IDEM believes that the sites that measure air quality above the standard are affected by localized urban excess that is not attributable to Lake and Porter counties. LADCO modeling shows that EGU and mobile source emissions from Lake and Porter counties impact Cook county monitors at levels less than 0.1 ug/m³.

Comment: The commenter noted that several monitors in Lake County do not meet the recently revised PM_{2.5} daily standard of 35 micrograms per cubic meter, based on 2005-2007 data. These counties are very likely to be designated as nonattainment under the revised standard and it will serve little purpose to redesignate them now to attainment for the annual standard. The commenter contends that doing so would likely confuse the regulated industry and the public about whether air quality does or does not meet health standards and what permitting rules apply. (IKE)

This document only addresses the annual fine particle standard. Designations have not been made for the revised 24 hour (daily standard) for fine particles. There are only two monitors in Northwest Indiana that currently do not meet the revised daily PM 2.5 daily standard of 35 micrograms per cubic meter, based on 2005-2007 data. Those two monitors are the East Chicago (35.5 ug/m³) and Gary Burr Street (36.9).

The Gary Burr Street monitor is a source oriented monitor and is intended to reflect air quality in a relatively small geographic area directly influenced by a specific source or sources of air pollution. This monitor is not used to determine attainment with the annual fine particle standard, but U.S. EPA determined it could be compared to the daily standard. IDEM considers these to be hot spots and not reflective of the overall air quality in the area.

The East Chicago monitor in Lake County is slightly above the 24-hr PM standard, however, photochemical modeling results show that by 2009 the monitor will be in attainment.

Comment: The states of Illinois, Indiana, Wisconsin, Michigan and Ohio have worked cooperatively for many years to improve air quality throughout the region. Although air quality has greatly improved as a result of our joint efforts, violations of the annual PM_{2.5}NAAQS are still occurring in our region. We believe that emissions from Lake and Porter counties contribute significantly to ongoing violations of the annual PM_{2.5} standard. Therefore, IL EPA strongly opposes Indiana's redesignation petition. (IL EPA)

IDEM has conducted an analysis to determine Indiana's culpability on downwind monitors and has determined, as summarized in this document, that Indiana's portion of the nonattainment area does not primarily contribute to monitored violations of the standard within the Illinois portion of the nonattainment area.

Lake and Porter counties are subject to the most stringent group of emission controls within the state of Indiana. This collection of permanent and enforceable controls is as equally stringent as those that apply elsewhere within the nonattainment area, and in some cases, more stringent. Indiana believes that the monitoring sites in Cook County, Illinois that currently measure fine particle concentrations above the standard are affected by localized "urban excess", mostly attributable to localized mobile and fugitive sources.

IDEM intends to continue working cooperatively with LADCO and the other LADCO states to address regional air quality issues, and that cooperation is not dependent on the specific designation of Lake and Porter counties.

Comment: As Indiana's petition notes, PM_{2.5} concentrations exceeding the level of the annual NAAQS were measured in northeastern Illinois during the 3-year period, 2004-2006, used in your analysis. Based on the most recent 3-year period, 2005-2007, a violation of the annual PM_{2.5} NAAQS has been measured at the Illinois monitoring station at the Washington High School. This monitoring station is the closest Illinois monitor to Lake County, Indiana. (IL EPA)

Analyses performed by IDEM show that background concentrations and local sources have much greater impact on the Cook County, IL monitors than sources in NW Indiana.

Data for 2005-2007 indicates that a total of five sites in Cook County have exceeded the annual NAAQS. This includes the site closest to Indiana, 170310022, 3535 E. 114th Street, Chicago. This site is classified as a population-exposure site. Its three year design value is $15.3 \mu\text{g}/\text{m}^3$.

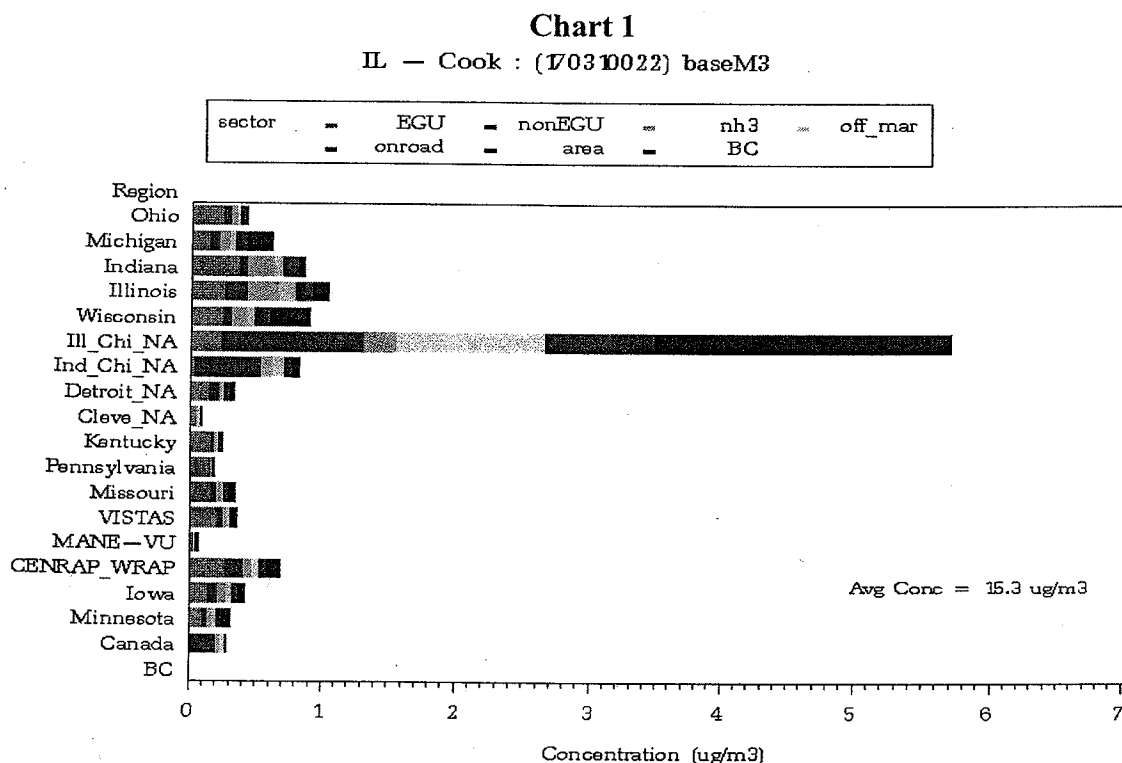
There are two additional monitoring sites in close proximity to 170310022, one at 103rd and Luella Streets in Chicago (170310050) and one at Robertsdale in Hammond (180892010). Site 170310050 has a 2005-2007 design value of $14.7 \mu\text{g}/\text{m}^3$. Site 180892010 has a design value for the same time period of $14.0 \mu\text{g}/\text{m}^3$. Indiana believes local impacts, primarily from fugitive sources are the reason the Washington High School monitor is exceeding the standard, since there isn't a similar regional pattern among the monitors in close proximity.

Comment: To further establish that emissions from Indiana are contributing to elevated $\text{PM}_{2.5}$ levels at Washington High School, the Illinois EPA developed a "pollution rose" for this site, to illustrate the average $\text{PM}_{2.5}$ concentrations at this location based on the wind direction occurring during times of elevated $\text{PM}_{2.5}$ levels. Please note the high average contributions occurring at Washington High School when winds are from easterly through south-southeasterly wind directions. It is also noted that southerly through westerly wind directions also contribute to elevated $\text{PM}_{2.5}$ levels, but these directions are consistent with the climatological frequency of winds throughout the year. It is obvious that elevated $\text{PM}_{2.5}$ from the easterly wind directions are over-represented relative to the frequency of winds from those directions. Again, these results are suggestive of local impacts from sources in Lake and Porter counties to the measured $\text{PM}_{2.5}$ violations at Washington High School. (IL EPA)

A summary of the data from 2005 through 2007 indicates that on the higher $\text{PM}_{2.5}$ days, surface and upper air winds came from every direction. The majority of the winds on the higher $\text{PM}_{2.5}$ days came from the south, west and east directions. The back trajectories show that a majority of the previous day's air came from the south, west and southwest with more stagnant conditions when the air was re-circulated over the area. This information suggests that the Illinois monitors are impacted from all surrounding areas and local emissions appear to be the difference between sites attaining or not attaining the NAAQS.

To further demonstrate this point, LADCO conducted annual $\text{PM}_{2.5}$ particulate source apportionment (PSAT) modeling for the Illinois monitoring sites. This modeling shows the regional and emission sources that impact a $\text{PM}_{2.5}$ monitoring site. The PSAT results show that the Illinois monitors are overwhelmingly impacted from the Chicago, Illinois portion of the Illinois $\text{PM}_{2.5}$ nonattainment area, with a large portion of the impact from area, marine/airplane/rail, mobile and non-EGU emission sources. Lake and Porter County emissions have lesser impacts than Wisconsin, Illinois and boundary conditions.

Chart 1 below shows the PSAT results for the Washington High School PM_{2.5} monitoring site. While Lake/Porter counties have some impact, the monitor is impacted by all surrounding areas.



Comment: For its Clean Air Interstate rulemaking, U.S. EPA considered a 0.2 ug/m3 contribution from an entire state a significant contribution for PM_{2.5}. Recent modeling performed by LADCO demonstrates that Lake and Porter counties by themselves contribute amounts that are far greater than U.S. EPA's thresholds at monitors in Cook County that are exceeding the annual PM_{2.5} standard. There is no technical basis for Indiana to conclude that sources located in Lake and Porter Counties do not significantly contribute to nonattainment in adjacent states. (IL EPA)

Indiana has adopted the Clean Air Interstate Rule, which is intended to address power plant contributions to downwind nonattainment areas. Indiana is also analyzing other stationary source control measures that could address additional downwind contributions. Such measures are not limited to Lake and Porter sources, and do not require a nonattainment designation in Lake and Porter counties in order for the state to adopt them. Indiana commits to maintain all emission control measures that have been implemented in Lake and Porter counties, including the vehicle inspection and maintenance program.

If emissions deriving from Lake and Porter counties were significantly contributing to the violating monitors in Illinois, we would expect to see similar elevated values at the sites located between Lake and Porter counties and the Cicero and Wilson Ave., and in Lake and Porter counties.

The location of the two violating monitors in Northeast Illinois results in elevated concentrations representative of localized "urban excess", primarily attributable to localized mobile and fugitive source emissions. Indiana is confident that its contribution to this localized effect is negligible.

Comment: Lake and Porter counties are tied to the Illinois nonattainment counties geographically and economically and reside in the same lakeshore environment. U.S. EPA guidance clearly states that these factors must be considered when the states recommend the boundaries of a nonattainment area. (IL EPA)

Indiana's petition is to redesignate a portion of the interstate nonattainment area, not to revise the statistical boundaries, as allowed in Section 107 (d)(3) of the Clean Air Act.

Comment: Redesignation of Indiana's Lake and Porter counties to attainment will exacerbate the problem in that it allows Indiana to avoid taking the necessary steps to address the regional emission problems and instead would allow the counties to comply with lesser standards that may lead to a worsening of air quality. (IL EPA)

IDEM has demonstrated in its petition that it meets the requirements for redesignation contained in the Clean Air Act, and therefore, should be redesignated. However, redesignation does not bar IDEM from continued interstate efforts to improve air quality. IDEM intends to continue working cooperatively with the other LADCO states to address regional air quality issues.

Comment: Determining the chemical make-up of a particle - known as speciation - is an important part of the effort to reduce PM_{2.5} levels and is accomplished largely through data generated by EPA's ambient air speciation monitoring program. The commenter is concerned that 2007 results from area speciation monitors are not reflected in the application. While these results may not be needed to be considered in this application, it must be noted that a number of the readings were above the daily standard of 35 micrograms at the Gary IITRI monitoring location. (SAVE)

Speciation data has not been reviewed for the Gary IITRI monitor. While some values may currently be above the revised daily PM standard of 35 micrograms per cubic meter, the 3-year design value is 34.7 and below the standard. Designations for the new daily fine particle standard have not been made. IDEM anticipates that if the designations are made in 2009, the area will have realized air quality benefits from recently implemented measures and may not be violating the daily standard when designations occur.

Comment: Commenter noted that it was not clear that the emissions inventory and estimates include important potential future emissions from several sources, including the expansion of the BP Whiting Refinery, the BP asphalt Plant, the expansion of the Gary-Chicago International Airport and the increase in the use of residential wood combustion devices, such as outdoor wood furnace boilers. (SAVE)

The purpose of the Redesignation Petition and Maintenance Plan is to demonstrate and ensure that compliance of the air quality standard will be maintained in the future. In making this demonstration, we have estimated emissions 10 years into the future and taken into account expected economic growth. Our estimates show that even with growth, declining emissions due to the Clean Air Interstate Rule, new engine and fuel standards and other measures will ensure that the annual fine particle standard will be maintained. We will continue to monitor emissions and fine particle values closely, and the maintenance plan has triggers that require IDEM to take action even before an actual violation of the standard would occur.

The Environmental Protection Agency has launched a voluntary partnership program to reduce air pollution from outdoor wood-fired boilers and has implemented a program to certify new wood stoves and fireplaces as energy efficient.

Comment: One of the major purposes of LADCO, as stated in a Memo of Agreement for Interstate Air Pollution Study and Control, signed in 2004 by former IDEM Commissioner Lori Kaplan, is the development of multi-state, multi-pollutant planning to support the development of effective control plans to address regional pollution problems such as ozone, fine particles, regional haze and air toxics. IDEM's determination that "emissions from Lake and Porter counties do not affect the downwind area's ability to attain the fine particles standard violates the spirit of that Memo of Agreement. (SAVE)

IDEM has demonstrated in its petition that it meets the requirements for redesignation contained in the Clean Air Act, and therefore, should be redesignated. However, redesignation does not bar IDEM from continued interstate efforts to improve air quality. IDEM intends to continue working cooperatively with LADCO and the other LADCO states to address regional air quality issues within the region.

Comment: While trying to demonstrate Indiana's lack of culpability in impacting the Chicago nonattainment area you used February 3, 2005 as an example of a monitored day higher than the daily standard of more than 35 micrograms. It is interesting to note that the Ogden Dunes monitor was not operational that day, as indicated on Table 3.5 of the application. This begs the following question: How often do any of the monitors not report results, and how are those non-reporting values factored into the annual average? (SAVE)

U.S. EPA issued the "Guideline on Data Handling Conventions for the PM NAAQS" in April 1999. These guidelines outline what states are required to do when there is missing data. U.S. EPA's monitoring guidance stipulates that a

minimum of 75% of the data per quarter must be available in order to determine if the design value represents attainment. If less than 75% of the data is valid, then the maximum quarterly value for that given quarter over the three-year period is substituted for all missing samples for that quarter. U.S. EPA also encourages states to explore alternative methods for evaluating the data, which Indiana has done for any monitor that has missing data.

Comment: Under the 3.5 Continued Monitoring Section, you indicate that the existing monitoring network could potentially be changed with EPA approval. We would strongly object to any changes that might be made in the network since monitor changes could potentially be implemented to make the outcomes look more favorable. (SAVE)

In October 2006, U.S. EPA issued final regulations concerning state and local agency ambient air monitoring networks. These regulations require states to submit an annual monitoring network review to U.S. EPA. Each year, IDEM will provide to U.S. EPA the framework for establishment and maintenance of an air quality surveillance system and will list any changes that are proposed to take place during the network season. IDEM discusses changes to monitoring networks with affected communities and the draft plan is placed on public notice prior to submittal to U.S. EPA.

In Indiana's 2008 Final Network Monitoring Plan there were several changes to the PM 2.5 monitoring network, including relocating 2 sites, discontinuing 7 sites and adding 3 sites. Indiana's 2008 Final Network Monitoring Plan can be viewed at http://www.in.gov/idem/programs/air/amb/docs/2008_monitoring_plan.pdf

Comment: You application must be presented in a manner that demonstrates that attainment was achieved based on permanent and enforceable emission reductions. This application needs to demonstrate more clearly that favorable weather conditions during the design value years did not heavily influence emission reductions. (SAVE)

Permanent and enforceable reductions of sulfur dioxides, direct PM_{2.5}, and oxides of nitrogen have contributed to the attainment of the annual standard for fine particles. Some of these reductions were due to the implementation of the NO_x SIP Call, and some were due to the application of tighter federal standards on new vehicles and fuels.

NO_x emissions within the Northwest Indiana area are projected to decline by almost 42% between 2005 and 2020. Photochemical modeling supports the continued decrease in fine particle concentrations in Lake and Porter counties in the future. Please refer to Section 6.2 of the document for a summary of permanent and enforceable emissions reductions implemented in the region.

Comment: On page 25 of the application, you indicate that utilities can meet their budget for nitrous oxide (NO_x) emissions by purchasing emission credits. How many credits were actually purchased and how much impact do these credit purchases actually have on the reduction of regional NO_x emissions? (SAVE)